

## **DETAILED ACTION**

### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 23, 2011 has been entered.
2. Claims 1-3, 5, 7-12, 14, 16, 18, 20-25, 27-30, 33-35 and 37-38 are pending. Claims 1, 12 and 23 are independent claims.

### **Information Disclosure Statement**

3. The Office acknowledges receipt of the Information Disclosure Statement filed February 23, 2011. It has been placed in the application file and the information referred to therein has been considered.

### **Claim Objection**

4. Claims 12, 23 and 34 are objected because of minor informalities.

**Claim 12:** at line 7, "world object" should be in plural.

**Claim 23:**

at line 1, -- non-transitory -- is suggested be inserted before "machine-readable storage medium" to obviate a possible a rejection under 35 USC § 101 because the claimed invention is directed to non-statutory subject matter.

at line 8, "world object" should be in plural.

**Claim 34:** at line 2, "instruction" should be in plural.

Appropriate correction is required.

### **Claim Rejections – 35 USC § 102**

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejection under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5, 7-8, 11-12, 14-16, 18-19, 22-25, 27-29 and 35-37 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,485,197 by Hoarty.

It should be noted that hereinafter the use of the clause “see at least” should be interpreted that the cited portions that follow the clause are not the only portions or descriptions of embodiments that are considered to be relevant. Should Applicant find that the cited portions are not relevant, other portions of the disclosure or descriptions of embodiments of the prior art reference will be provided as additional evidence and/or context to the relevancy of the previously cited portions. Since the evidence is from the same reference, the introduction of the additional evidence in response to Applicant’s arguments should not therefore be considered to be that of new grounds of rejection.

#### **Claim 1**

Hoarty discloses a system (see at least FIGs. 27-29), comprising:

a memory (see at least FIGs. 27-29, items 2751, 281) storing a first object (see at least FIGs. 35, 38, 40, e.g., layouts for Smart TV: for classifieds, by actors, by shows, etc.), a second object, the second object configured to define an interactive component for display in an interactive electronic programming guide (EPG), the interactive component including localized content (see at least FIG. 33, e.g., TV Listings) and a third object corresponding to content information for display in the EPG (see at least FIG. 36, e.g., TV shows, news, games, etc.); and

a processor (see at least FIGs. 27-29, e.g., processors 276, 2733, 2732, 2942, 282, 2944, 2944, 295) configured to:

analyze the content information of the third object (see at least FIG. 36, e.g., depending on which item--Grid Time, Smart TV, etc. is selected by a user);

determine a thematic content of the third object based on the analysis (see at least FIG. 36, if for instance, Smart TV is selected, the theme shown in FIG. 37 is displayed);

identify a plurality of world objects each defining a different theme for an EPG layout (see at least FIG. 37, e.g., if “Show Grid” is selected, a grid like the one shown in FIG. 36 is displayed);

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generate and display the interactive EPG by combining the first object, the second object and the third object, wherein a layout of the interactive EPG is defined by the first object (see at least FIGs. 35-41, e.g., layout for Classifieds, for TV Program Listings, for Search by Categories, ..., for program reminder and reservation).

#### **Claim 12**

Claim 12 is a method claim that corresponds to the system claim 1. Therefore, Claim 12 is rejected for the same reasons set forth in Claim 1.

#### **Claim 23**

Claim 12 is an apparatus claim (i.e., a machine-readable storage medium tangibly embodying a sequence of instructions executable by a processor) that corresponds to Claim 1. Therefore, Claim 23 is rejected for the same reasons as discussed in Claim 1.

#### **Claims 2, 14 and 24**

Rejections of base claims 1, 12 and 23, respectively are incorporated. Hoarty further discloses wherein the system comprises a set-top box, a television, or a VCR (Hoarty; see at least FIGs. 26-29).

#### **Claims 3 and 25**

Rejections of base claims 1 and 23, respectively are incorporated. Hoarty further discloses wherein the system includes a plurality of drivers, one of the drivers communicating with a separate unit to replenish programming information (Hoarty; see at least FIGs. 26-29).

#### **Claim 4 (canceled)**

#### **Claim 15**

The rejection of base claim 12 and 23 is incorporated. Hoarty further discloses wherein the first object is selected from a plurality of world objects, each of the plurality of world

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objects configured to define a different EPG layout for displaying the content programming information (Hoarty; see at least FIGs. 35, 38, 40, e.g., layouts for Smart TV: for classifieds, by actors, by shows, etc.).

### **Claims 5, 16 and 27**

Rejections of base claims 1, 12 & 23 and intervening claims 4; 13, 14 & 24, 26, respectively are incorporated. Hoarty further discloses wherein the third object includes at least one of a schedule times, channel identification and a title (Hoarty; see at least FIG. 36).

### **Claim 7**

The rejection of base claim 1 incorporated. Hoarty further discloses wherein the second object is configured to provide non-EPG e-commerce interactivity (Hoarty; see at least FIG. 35).

### **Claim 8**

The rejection of base claim 1 is incorporated. Hoarty further discloses wherein the first object is selected from a plurality of world objects based on a selected type of programming, wherein each of the plurality of world objects defines a different EPG layout (Hoarty; see at least FIGs. 35, 38, 40, e.g., layouts for Smart TV: for classifieds, by actors, by shows, etc.).

### **Claim 11**

The rejections of base claim 1 is incorporated. Hoarty further discloses a user interface configured to receive user interaction with the localized content of the interactive EPG (Hoarty; see at least FIG. 35, e.g., items in the Classifieds are localized).

### **Claim 13 (canceled)**

### **Claims 18 and 28**

Pursuant to Claim 18, the rejection of base claim 12 is incorporated.

Pursuant to Claim 28, the rejection of base claim 23 is incorporated.

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Hoarty further discloses wherein the second object is a non-EPG e-commerce objects (Hoarty; see at least FIG. 35).

### **Claims 19 and 29**

Rejections of base claims 12 & 23 and intervening claims 13-18 & 24-28 are respectively incorporated. Hoarty further discloses wherein the first object is selected from a plurality of world objects based on selected programming content (Hoarty; see at least FIGs. 35, 38, 40, e.g., layouts for Smart TV: for classifieds, by actors, by shows, etc.).

### **Claim 22**

The rejection of base claim 12 is incorporated. Hoarty further discloses further comprising generating a user interface coupled to the EPG and configured to receive user interaction with the localized interactive component (Hoarty; see at least FIG. 35).

### **Claim 26 (canceled)**

### **Claim 35**

The rejection of base claim 1 is incorporated. Hoarty further discloses wherein the interactive component is based on the content information displayed in the EPG (Hoarty; see at least FIG. 36).

### **Claim 36**

The rejection of base claim 1 is incorporated. Hoarty further discloses wherein the theme of the EPG layout is based on the content information of the third object (Hoarty; see at least FIG. 36).

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**Claim 37**

The rejection of base claim 1 is incorporated. Hoarty further discloses wherein the third object corresponds to a selection from a user (Hoarty; see at least FIGs. 36-37, subsequent to a user selection of Smart TV in FIG. 36, Smart TV screen is displayed).

**Claim Rejections – 35 USC § 103**

7. The following is a quotation of the 35 U.S.C. § 103(a) which form the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9-10, 20-21, 30 and 33-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoarty, as applied to the respective base claim, in view of U.S. Patent No. 6,754,906 to Finseth et al. (“Finseth”).

**Claim 9**

Rejections of base claim 1 and intervening claim 8 are incorporated. Hoarty does not specifically disclose wherein the first object defines a virtual world and a subset of the virtual world is displayed as a matrix of rectangular boxes containing current program information.

However, in an analogous art, Finseth does disclose a matrix of rectangular boxes containing program information (see at least FIG. 8A).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use this feature of Finseth in Hoarty because the use of the feature would enhance the program listings information in Hoarty.

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**Claim 10**

The rejections of base claim 1 and intervening claim 7 are incorporated. Hoarty does not specifically disclose wherein the second object is received in real time.

However, in an analogous art, Finseth discloses an electronic catalog (see at least 20:27-29), which is deemed to be updated in real-time in order to reflect the inventory of items in stock so that when a user searches the electronic catalog for an purchasing item and /or places an order, the item(s) is/are available or shown to be available in the near future.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use Finseth in Hoarty because the use of Finseth's real-time operating capability in Hoarty would help the e-commerce to be more efficient and thus increasing the company sales.

**Claim 20**

The rejection of base claim 12 is incorporated. Hoarty does not specifically disclose wherein the first object defines a virtual world and wherein a subset of the virtual world is displayed as a matrix of rectangular boxes containing current program information.

However, in an analogous art, Finseth does disclose a matrix of rectangular boxes containing program information (see at least FIG. 8A).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use this feature of Finseth in Hoarty because the use of this feature would enhance the program listings information in Hoarty.

**Claim 30**

The rejection of base claim 23 and intervening claims 24, 26-29 are incorporated. Hoarty does not specifically disclose wherein the first object defines a virtual world and wherein a subset of the virtual world is displayed as a matrix of rectangular boxes containing current program information.

However, in an analogous art, Finseth does disclose a matrix of rectangular boxes containing program information (see at least FIG. 8A).

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It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use this feature of Finseth in Hoarty because the use of the feature would enhance the program listings information in Hoarty.

### **Claim 31**

Rejections of base claim 23 and intervening claims 24, 26-30 are incorporated. Hoarty-Finseth further discloses wherein the first object is user-selected from a plurality of world objects, each of the plurality of world objects defining a different layout for displaying the programming information (Hoarty; see at least FIGs. 35, 38, 40, e.g., layouts for Smart TV: for classifieds, by actors, by shows, etc.).

### **Claims 21 and 33**

Pursuant to Claim 21, rejections of base claim 12 and intervening claim 18 are incorporated.

Pursuant to Claim 33, the rejection of base claim 23 is incorporated.

Hoarty does not specifically disclose receiving the second object in real time.

However, in an analogous art, Finseth discloses an electronic catalog (see at least 20:27-29), which is deemed to be updated in real-time in order to reflect the inventory of items in stock so that when a user searches the electronic catalog for an purchasing item and /or places an order, the item(s) is/are available or shown to be available in the near future.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use Finseth in Hoarty because the use of Finseth's real-time operating capability in Hoarty would help the e-commerce to be more efficient and thus increasing the company sales.

### **Claim 34**

The rejections of base claim 23 and intervening claim 33 are incorporated. Hoarty-Finseth further discloses further comprising generating a user interface coupled to the EPG and configured to receive user interaction with the localized interactive component (Hoarty; see at least FIGs. 26-29).



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9. Claim 38 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoarty, as applied to the respective base claim, in view of U.S. Patent Application Publication No. 2008/0134239 by Knowles et al. (“Knowles”).

### **Claim 38**

Rejections of base claim 1 and intervening claim 37 are incorporated. Hoarty does not specifically disclose the feature recited in the claim.

However, in an analogous art, Knowles discloses wherein the third object is a sports channel and the first object has a thematic content of a ballpark (see at least FIG. 9, e.g., option Sports).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the geature disclosed by Knowles in Hoarty because the use of Knowles would add versatility to Hoarty, thereby enhancing the TV viewing experience of a user.

### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to Applicant’s disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Vu “Antony” Nguyen-Ba whose telephone number is (571) 272-3701. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:30 pm.

If attempts to reach the examiner are unsuccessful, the examiner’s supervisor, John Miller can be reached at (571) 272-7353.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2400 Group receptionist (571) 272-2400.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Hoang-Vu Antony Nguyen-Ba/

Primary Examiner, Art Unit 2421

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